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May 15, 2003

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: The Cape Light Compact, D.T.E. 03-39

Dear Secretary Cottrell:

Enclosed for filing is an original and nine copies of the Petition to Intervene of Commonwealth Electric Company d/b/a/ NSTAR Electric in the above-referenced proceeding.

Thank you for your attention to this matter.

Sincerely,

Andrew O. Kaplan

Enclosure

cc: Kevin Penders, Hearing Officer
Jeffrey M. Bernstein, Esq.
Joseph Rogers, Assistant Attorney General
Steven I. Venezia, Esq.
Lisa M. Carloni, Director – Energy Efficiency Services, NSTAR Electric

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

The Cape Light Compact

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D.T.E. 03-39

PETITION TO INTERVENE OF COMMONWEALTH ELECTRIC COMPANY

Pursuant to 220 C.M.R. § 1.03, Commonwealth Electric Company d/b/a NSTAR Electric (“NSTAR Electric” or the “Company”) hereby petitions the Department of Telecommunications and Energy (the “Department”) for leave to intervene and participate in the above-captioned proceeding. In support of its petition, NSTAR Electric states the following:

1. Commonwealth Electric Company d/b/a NSTAR Electric is a Massachusetts electric company, as defined in G.L. c. 164, § 1, providing retail service to customers throughout southeastern Massachusetts, including Cape Cod and Martha’s Vineyard, and is subject to the regulatory jurisdiction of the Department.
2. NSTAR Electric’s usual place of business is:

NSTAR Electric & Gas Corporation
800 Boylston Street
Boston, MA 02199

3. On March 28, 2003, the Cape Light Compact (“CLC”) filed for approval by the Department, a Petition Seeking Certification of Amended Efficiency Plan (the “Petition”), pursuant to G.L. c. 164, § 134(b). In its Petition, CLC requested certification of its Energy Efficiency Plan for 2003 through 2007.

4. In conducting adjudicatory hearings, the Department may allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding as the Department may order. G.L. c. 30A, § 10(4); 220 C.M.R. § 1.03(1)(b).
5. CLC administers its energy efficiency programs to NSTAR Electric customers located on Cape Cod and Martha's Vineyard. Therefore, NSTAR Electric is substantially and specifically affected by any decision rendered by the Department regarding CLC's energy efficiency programs.
6. In addition, good cause exists for allowing this Petition. Specifically, the procedural conference for this investigation proceeding has not yet been held and as such, the Company's participant status will not jeopardize the efficiency of the Department's investigation of CLC's energy efficiency program in any material way.
7. Accordingly, NSTAR Electric seeks to participate in all aspects of this proceeding including, as it deems necessary, the right to present testimony, cross-examine witnesses, and to present arguments orally and/or in writing, in accordance with the procedural schedule to be established by the Department. Additionally, NSTAR Electric seeks the right to receive copies of all pleadings, discovery requests and responses.

WHEREFORE, for the reasons stated above, NSTAR Electric respectfully requests that this Petition to Intervene in the above-referenced proceeding be granted. NSTAR Electric hereby notices the appearances of the undersigned counsel.

Respectfully submitted,

NSTAR Electric

By its attorneys,

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Date: May 15, 2003